

Senate Study Bill 1232

SENATE FILE _____
BY (PROPOSED COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT BILL
BY CO=CHAIRPERSONS BLACK AND HOUSER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the retention of solid waste tonnage fees by
2 sanitary landfills for purposes of regional collection centers
3 and third parties providing services similar to regional
4 collection centers.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2235SC 81
7 tm/pj/5

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1 1 Section 1. Section 455B.310, subsection 3, Code 2005, is
1 2 amended to read as follows:
1 3 3. a. If a sanitary landfill required to pay a tonnage
1 4 fee under this section has an updated comprehensive plan
1 5 approved by the department, the sanitary landfill operator
1 6 shall retain, in addition to the ninety=five cents retained
1 7 pursuant to subsection 4, twenty=five cents of the tonnage fee
1 8 per ton of solid waste in the fiscal year beginning July 1,
1 9 1998, and every year thereafter. In the fiscal year beginning
1 10 July 1, 1999, and every year thereafter, any planning area
1 11 which meets the statewide average, as determined by the
1 12 department on July 1, 1999, shall retain, in addition to the
1 13 twenty=five cents retained pursuant to this subsection, ten
1 14 cents of the tonnage fee per ton of solid waste regardless of
1 15 whether the planning area subsequently fails to meet the
1 16 statewide average. Any tonnage fees retained pursuant to this
1 17 ~~subsection paragraph~~ shall be used for waste reduction,
1 18 recycling, or small business pollution prevention purposes.
1 19 Any tonnage fee retained pursuant to this subsection shall be
1 20 taken from that portion of the tonnage fee which would have
1 21 been allocated to funding alternatives to landfills pursuant
1 22 to section 455E.11, subsection 2, paragraph "a", subparagraph
1 23 (1).

1 24 b. A sanitary landfill that provides waste to a regional
1 25 collection center through the operation of a regional
1 26 collection center, through a third-party contract that
1 27 provides services similar to regional collection centers, or
1 28 through an agreement with another sanitary landfill shall
1 29 retain, in addition to the amounts provided in paragraph "a",
1 30 twenty cents of the tonnage fee per ton of solid waste. Any
1 31 tonnage fee retained pursuant to this paragraph shall be used
1 32 for support of the regional collection center used by the
1 33 sanitary landfill retaining the tonnage fee or for support of
1 34 the third party providing services similar to a regional
1 35 collection center. Fifteen cents of any tonnage fee retained
2 1 pursuant to this paragraph shall be taken from that portion of
2 2 the tonnage fee which would have been allocated for regional
2 3 collection centers pursuant to section 455E.11, subsection 2,
2 4 paragraph "a", subparagraph (2), subparagraph subdivision (d),
2 5 and five cents shall be taken from that portion of the tonnage
2 6 fee which would have been allocated for toxic cleanup days
2 7 pursuant to section 455E.11, subsection 2, paragraph "a",
2 8 subparagraph (2), subparagraph subdivision (f).

EXPLANATION

2 10 This bill relates to solid waste tonnage fees retained by
2 11 sanitary landfills for purposes of regional collection
2 12 centers.
2 13 Currently, the operator of a sanitary landfill is required
2 14 to pay a tonnage fee to the department of natural resources

2 15 for each ton of solid waste received and disposed of at the
2 16 sanitary landfill. The tonnage fees received by the
2 17 department are deposited in the solid waste account of the
2 18 groundwater protection fund. A portion of the tonnage fee is
2 19 retained by sanitary landfills if certain requirements are
2 20 met.

2 21 The bill requires a sanitary landfill that provides waste
2 22 to a regional collection center through the operation of a
2 23 regional collection center, through a third-party contract
2 24 that provides services similar to regional collection centers,
2 25 or through an agreement with another sanitary landfill to
2 26 retain 20 cents of the tonnage fee. The bill provides that
2 27 the tonnage fee retained shall be used for support of the
2 28 regional collection center used by the sanitary landfill
2 29 retaining the tonnage fee or for support of the third party
2 30 providing services similar to a regional collection center.
2 31 The bill provides that 15 cents of the retained tonnage fee
2 32 shall be taken from that portion of the tonnage fee which
2 33 would have been allocated for regional collection centers
2 34 under the groundwater protection fund and 5 cents shall be
2 35 taken from that portion of the tonnage fee which would have
3 1 been allocated for toxic cleanup days under the groundwater
3 2 protection fund.

3 3 LSB 2235SC 81

3 4 tm:nh/pj/5.1